



Llywodraeth Cymru  
Welsh Government

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## **WRITTEN STATEMENT BY THE WELSH GOVERNMENT**

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**TITLE**            **Safeguarding and Protection of People at Risk**

**DATE**            **18 October 2012**

**BY**                **Gwenda Thomas, Deputy Minister for Children and Social Services**

Exactly one year ago today I set out my developing approach to safeguard and protect people in Wales. I would like to up-date Members on the action we have taken and my plans for the future.

I have this week published the summary of responses to the consultation on the Social Services (Wales) Bill which took place in the spring and early summer. Members will already be aware from my statement in June that over 500 people were engaged at a range of public events across Wales, including vulnerable groups such as disabled and looked after children, care leavers and young carers. In addition, some 275 written responses to the consultation were received and have been analysed. The response has been extremely constructive and I have been pleased to find that there is a real consensus for our broad proposals to safeguard and protect. This level of public engagement is absolutely critical to the success of our plans.

As with any proposals for change some turbulence is inevitable. It is essential that people are allowed a proper opportunity to express their views before we get down to the hard work. It has been equally important to ensure that, when people have taken the time to engage, we listen very carefully to what they have had to say. Consultation and engagement are critical, and so is decision making.

The Bill will be a pivotal delivery mechanism for implementing key aspects of our agenda. We need to be absolutely clear that effective safeguarding can only be achieved through consistent multi-agency action.

I welcome the Minister for Health and Social Services' statement on safeguarding and protecting children in NHS Wales of 2 September, which outlined action in addressing the recommendations of Professor Sir Mansel Aylward. This excellent work is key to the NHS ensuring it achieves its safeguarding obligations, and continues to play its role alongside other statutory partners. We need to ensure that

all key safeguarding agencies keep an equal and diligent focus on arrangements to safeguard and protect.

The scope of the Bill will extend beyond social services boundaries, and this is particularly critical in safeguarding and protection. My responsibility is to ensure that the framework, within which all agencies operate, facilitates the effective multi-agency approach essential to robust safeguarding arrangements. Social services will always be pivotal to the effectiveness of those arrangements, but all the partners must recognise that a consistent approach needs to be at the heart of safeguarding.

I know that comments were expressed during the consultation, and through my Partnership Forum arrangements, that the title of the Bill did not adequately reflect the multi-agency input required to deliver the *Sustainable Social Services* agenda, especially in the safeguarding context. Therefore, we will in future be referring to the draft Bill by its 'working title' of the *Social Services and Well-being (Wales) Bill*. On current plans, the draft Bill will be introduced to the Assembly in late January 2013.

Last October, I set out my intentions to use the Bill to improve leadership, collaboration through multi-agency working and to introduce a more coherent approach to protecting adults at risk. Current evidence shows that our arrangements to protect children and adults at risk of abuse or neglect are generally effective. However, we can always do better. I believe that with the quality and commitment of our partners, and particularly the dedication of our frontline practitioners, we can do just that.

Leadership is paramount. I have previously set out my commitment to establish a National Independent Safeguarding Board. The results of consultation demonstrated broad agreement that the strategic focus a National Board could provide would be a constructive step. I am minded to pursue my intention to establish a new Board under the legislation. There are many models which might be considered, but my view currently is that the Board will need to be able to advise me on the adequacy and effectiveness of safeguarding and on action to help strengthen policy and improve practice. It might also have a critical role in providing support and advice to Safeguarding Boards, with a view to ensuring their effectiveness. The watchword for the work of the Board will be *improvement*.

Effective collaboration and multi-agency working are pre-requisites to the delivery of our responsibilities. I have said that I would be adopting the Public Service Delivery footprint of six for Safeguarding Children Boards and the new statutory equivalent for adults. I continue to be committed to that, but we also need to *future proof* our proposals to accommodate any changes we may want to make in later years. We have also received support through the consultation to ensure more robust funding arrangements for Boards, and a signal that further work is required to better understand the advantages of Boards having independent Chairs. I have decided not to seek to prescribe this latter point through statute, but I think that there is work to be done so that Boards can make more informed choices. This work will be put in hand.

We might also take this opportunity to ensure synergy between the statutory members of the adults and children Boards.

Last October, I was clear that existing Local Safeguarding Children Boards should start planning for change in advance of the legislation. I have received a report on progress being made against the new model and am very pleased that some of the new Board structures will be in place as soon as the spring of 2013. I will continue to urge all LSCBs to make significant progress so that all the risks have been properly assessed and discharged before the legislation requires the change.

I had proposed that alongside Safeguarding Children Boards, we would establish Adult Protection Boards on a statutory basis. I am pleased that there was considerable support for this. I am however attracted to the idea that these Boards should have a wider remit than protection alone, and it is my intention to propose that Safeguarding Adults Boards, with specific focus on adults at risk, be established under the legislation.

While not formally part of the consultation, the proposal that these Boards should merge in time is one that has received considerable comment. I continue to be committed to the principle that we must begin to break down any artificial barriers based on age, but recognise and appreciate the anxieties expressed. Initially the new Boards will operate in parallel, and the proposed legislation will allow decisions on mergers to be made locally within the framework of improving safeguarding arrangements for everyone. I have also asked for the draft Bill to include provision for Ministers to reserve the right to merge Boards.

I am pleased that I am able to make available half a million pounds additional funding in this financial year to assist local authorities and key partners in the transition to new service and governance models. I expect local authorities to work with partners in developing the new safeguarding footprint of 6. This is a priority for delivery.

I do not underestimate the complexity, but I have been very reassured by the overwhelming support for our proposal to develop a legal framework to protect adults at risk. I am minded to take forward provisions to include the range of features outlined in the consultation, placing key legal duties on local authorities and others, such as those in the health service and the police to protect adults at risk. Given the strength of feeling that has been expressed, I am attracted to the idea of providing practitioners with new intervention powers to ensure access to suspected victims of abuse while maintaining the principle that the adult's wishes form the basis of any support given. This framework will ensure that, as with children, there is a consistent and effective multi-agency response to adult abuse and will be complimented by the forthcoming domestic abuse legislation that the Minister for Local Government and Communities will be bringing forward.

The development of these arrangements is indicative of the maturity that the Welsh Government has reached in a relatively short space of time. However, the devolution settlement – and particularly the key role that the police and other non-devolved

agencies play – means that some areas are dependent on the agreement of the UK Government. My officials have already begun discussions on areas which require wider agreement, and we will continue to press for what we believe to be the best for Wales.

Our thinking has moved on in many areas, and we have made progress. I recognise though that considerable work remains. I do not underestimate the scale of the task. The involvement of stakeholders thus far has been critical. We established with the help of key stakeholders the Safeguarding and Protection Advisory Network earlier in the year, and the significance of that Network will grow as we begin to build the detail of the provisions that will be included in the regulations and guidance that will underpin the Bill. I know that I can rely on their enthusiasm, commitment and expertise to take us forward.

I am also committed to developing a core of expertise to help me to develop the detail of our proposals and it is my intention therefore to establish a Shadow Safeguarding Board before the end of this financial year. I will ensure that Members are kept informed of progress in developing this work.